

**Hawaii Department of Agriculture - Pesticides Branch
3rd Quarter Report; EPA Region IX
April - June 2013**

ADMINISTRATIVE:

Training/Conference attended:

- Ann Kam -2013 Pesticide Regulatory Education Program: Compliance Program Management Course during April 29-May 2, 2013, Davis, CA.
- Tom Matsuda – Region 9 Representative to SFIREG Meeting held June 10-11, 2013, Arlington, VA.

PROGRAM HIGHLIGHTS:

Legislative:

HB 673 H.D. 2, S. D. 2, C.D. 1, enacted as Act 105.

- Requires that the HDOA to post on its website public information on restricted use pesticide (sales) reports and records submitted to the HDOA. We are working with our Attorney General to determined information from sales records that is to be redacted to protect confidential business information or significant private information. No date set when posting will occur on HDOA website.

HOUSE CONCURRENT RESOLUTION 129 HD2 SD1:

REQUESTING THE DIRECTOR OF HEALTH TO DEVELOP PARTNERSHIPS TO ADDRESS THE DATA GAP ON AIR, SURFACE WATER, AND NEAR SHORE EFFECTS OF ATRAZINE.

- The Director of Health is requested to report to the Legislature progress, findings, and recommendations, including any proposed legislation arising from its partnership activities, no later than October 31, 2013. No meetings held.

Registration/Licensing

Licensing

A total of 228 licenses were processed, with fees collected totaling \$75,240. Of these licenses, 218 (212 General and 6 RUSP) were for new products and 10 (all General) were renewals.

Special Local Needs (Section 24c): 1 issued

HI-020004 Goal 2XL (EPA reg. no. 62719-424) - For pre-emergence and post emergence weed control in macadamia nut plantings. This SLN is a renewal to allow the continued use of Goal 2XL to assist in control of broadleaf weeds like common purslane and garden spurge in bearing and nonbearing macadamia nut plantings.

Section 18 Emergency Exemption: None

Experimental Use Permits (EUP): None

Groundwater Reviews:

These active ingredients are/were under scrutiny by Dr. Chittaranjan Ray, (Interim director) of the Water Resources Research Center, University of Hawaii.

- Amicarbazone (Arysta) - Full groundwater review completed. Requires state restriction. Registrant (Arysta) has consented.
- Fluxapyroxad (Valent) - Full groundwater review completed. May require further restriction. License as general use, conduct groundwater field or lab study with Hawaii soils (UH WRRC)
- Thiamethoxam (Syngenta) - Full groundwater review completed. Requires state restriction. In discussion with Syngenta.

These active ingredients do not require full review. Allow licensing.

- Picoxystrobin (Dupont)
- Sulfoxaflor (Dow)
- Difenoconazole (Syngenta)

Endangered Species Reviews:

1 Section 7 Informal Consultation with Fish & Wildlife Service for proposed use of Movento under SLN to control Acacia psyllid in koa plantations. There is concern over location of use due to characteristics of this chemical (primary effects on pollinators and native insects, secondary effects on insectivorous birds). The location of applications must be limited to existing known locations. No use allowed for new locations unless FWS consulted again.

Waimea Canyon Air Quality Meetings

Background information: A study to monitor the air quality on the Island of Kauai was started as a result of numerous odor complaints from Waimea Canyon School teachers back in 2004. The Hawaii Department of Agriculture funded \$100,000 towards parts of the study related to pesticides. The Kauai County provided \$50,000 to characterize odors from a plant known as stinkweed, *Cleome gynandra*.

- On March 5, 2013, staff (T. Matsuda, G. Sahara, A. Kam and other individuals Dr. Lyle Wong, Dr. Qing Li, George Costa, Bill Spitz, Janet Ashman, and Jerry Ornellas met with 3 groups (listed); on Kauai to discuss the findings of the Waimea Air Ambient Study: George Costa presented an overview of the project, Dr. Qing Li presented his findings to the group and T. Matsuda presented a Pesticides 101 power point slideshow to the Teachers/Parents group.
 1. Seed Corn Companies on Kauai; about 30 individuals
 2. Teachers/Parents from Waimea Canyon School; ~ 8 individuals.
 3. Waimea Business Community ~ 2 individuals
- On March 20, 2013, during the morning and early afternoon, the Waimea Canyon Air Quality Task Force along with and HDOA Deputy Director Scott Enright met with the Kauai County Council for about 5 hours. George Costa presented an overview of the project, Dr. Qing Li presented his findings to the group and T. Matsuda presented a Pesticides 101 power point slideshow. Two members of Kauai County Council under assumption that study would be conducted under active spray application taking place from field adjacent to school.
- An evening meeting was held with the community from the Waimea Canyon area; ~ 200 residents attended. Dr. Peter Adler from Oahu, served as moderator for this event. Individuals were asked to write down their questions on pieces of paper in regards to the results of the Waimea Air Ambient Study or general questions on pesticide use. The use of a moderator was successful in controlling the flow of the meeting and made certain that most everyone had an opportunity to voice their concerns.
- During the weekend of 3/16/13, activists rallied the Waimea Canyon community with anti-GMO sentiments, noting the findings of atrazine in drinking water at the school reported to be at a level of 6ppt.

Chemical Analysis Laboratory (CAL)

- A total of 236 tests were run for 16 samples pertaining to 7 enforcement cases this quarter. All of these samples were finished by the GC/MS or LC/MS equipment.
- Nine (9) PT samples (ground beef) from FERN were screened for parathion residue by GC/MS.
- Five (5) EPA check samples (Soil samples) were screened for pesticide residues through 68 GC/MS and LC/MS tests.

WORK PLANS:

Applicator Certification and Training Work plan:

- A total of 18 statewide certification examination sessions were held.
- One hundred thirty-five (135) examinees were tested in Private applicator or Commercial applicator categories.
- Out of these examinations, 33 individuals became newly certified applicators and another 37 individuals were re-certified in their appropriate work profession categories.
- Twenty-nine (29) certified applicators collectively earned 94.5 recertification credits by taking quizzes.
- Seventeen (17) CET training classes were held and attended by 720 certified applicators. These attendees collectively earned 1,320 recertification credits.

Development of WPS Handler and Worker narrated slideshow.

- Work continues on the development of a written script in English with the next phase having translators convert the English script into Ilocano, Laotian, Mandarin, Cantonese and Tagalog. We anticipate completing this slide show before the end of the program year.

Development of IPM informational booklet for local public schools Grades 1 – 5: On going development activity.

Development of Crop Grouping for mobile app: On going activity. Discussed concept with staff. Will seek out vendor to further develop.

Development of Label Search: On going activity.

Endangered Species Protection Work plan:

(No activities scheduled)

Enforcement Work plan:

(Statistical numbers will be reported by Avis in the 5700-33H Form.)

Note worthy inspections and Complaints that were followed up by island:

Oahu:

- Waimalu Elem. School; Bayer Advanced Home Pest Control (cyfluthrin) applied by head custodian to ant mounds surrounding a portable classroom. Teacher alleges about 6 students and herself became ill from applications in early April 2013. Cyfluthrin detected on classroom

air conditioner filters and on teacher's desk. Pesticide cleared for applications only in or around homes.

- Sunlight Farm, Inc.; Following up to an odor complaint a inspection was conducted at this Waianae farm. Dimethoate detected on basil. Site not on label. Farmer in possession of Epimek 0.15EC, a restricted use pesticide. Farmer is not certified. Farmer said we can shut his farm down before he reveals the name of the person who provided him with the Epi-Mek. WPS suspected violations too. Farmer also had an empty container of Gramoxone SL, another restricted use pesticide. He said container was found on the road in front of his property. Certification number on the new condition container belongs to Pau Cun Chi.
- PacFresh LLC; Follow up with Whider Sun concerning him providing non-certified farmers with the restricted use pesticide Epi-Mek 0.15EC. Sun admits to providing product to non-certified farmers in his "prototype coop".
- Phoenix V, LLC dba BEI Hawaii; Follow up to the re-labeling of Dow AgroSciences Cobalt Advanced, EPA Reg. No. 62719-615. Product shipped with experimental use labels were re-labeled with the permission of Dow AgroSciences at BEI Hawaii's producer establishments. Four, one gallon units were labeled with labels with 2.5 gallon net content statements. Product was returned to correct the nets contents statements.

Maui/Molokai:

- Complaint from three tenants of a condominium complex involving the in-house pest control and chlorination of the complex's swimming pool. One tenant alleged that maintenance personnel sprayed kitchen cabinet and drawers containing dishes and silverware. Samples were not taken since the tenant had decontaminated the cabinet, drawer, dishes and silverware.

Maintenance personnel denied allegations stating that only baseboards were spot sprayed with Bayer Advanced Home Pest Control Indoor & Outdoor Insect Killer RTU.

However, the pest control application notice also states in part, "b. Clear all items from the kitchen counter tops. Also the bathroom Vanity Tops. C. Remove all items from all the kitchen wall cabinets. The kitchen cabinet drawers, the lower or base cabinets."

- Another tenant alleged burning eyes/itchy skin after swimming in complex's pool. The pool maintenance employee was interviewed. Employee produced free chlorine and pH readings for this day of interviews. The free chlorine level exceeded the REI.

The employee was asked to take reading of pool's chlorine level using his colorimetric test kit of reagents, a procedure that is supposedly followed daily. It was noted that one of the reagents was missing. Employee attempted to test water but then admitted that he ran out of the reagent.

- Automobile driver reported an extremely low flying helicopter applying herbicide to sugar cane field adjacent to t State highway. Driver claimed to have spoken with a representative of the Federal Aviation Association about the incident. Complainant does not believe to have been exposed to herbicide. Follow up inspections with the helicopter company and sugar company have resulted in a suspected violation of WPS; failure to post aerial application in a timely manner.

Kauai:

- A complaint was received in May about pesticide odors coming from nearby corn fields. After investigating all corn companies, it was determined that no spray applications were made and all fields were fallow. The possible source of odor could have come from stinkweeds that were growing or tilled in nearby fields.

Hawaii Island:

- Ag inspection conducted at Leisure Bean Farms, Kailua-Kona. Suspected violations discovered were Amine 4, 2, 4-D not allowed for macadamia nuts. Applicators lacking PPE and no compliance with WPS. 3 Workers/handlers employed.
- During a routine inspection at the U.H. Hilo, Hawaii Community College. Inspector discovered 3 cases of Roundup Power Max, that had been recently purchased. The Roundup Power Max is not labeled for use in schools. The Roundup Power Max was returned to the Dealer.

Worker Safety Program Work plan:

- Eight (8) Worker Protection Standard training sessions were provided to these farms or groups:
Hawaii Island - Royal Hawaiian Orchards, LLC, Orchid Plantation, Inc., RMG Hawaii
Kauai - Growing Greens Nursery, Kauai Kuana Dairy, LBD Coffee dba Kauai Cigar
Oahu - Sunlight Farm, Luo's Farm
- A total of 11 individuals participated in the WPS agricultural worker or handler trainings.

Other trainings provided by Pesticide Education section:

- Basic Pesticide Safety Training provided to staff at: DOT Highways Division Honokaa, HILA Landscape Maintenance, Hawaiian Management Co., La Lima O Mau, (72 attendees)
- Farmer Resource Workshop: Oahu farmers, Pacific Gateway's English as a Second Language (ESL) farmers (134 attendees)
- Leeward Community College Office of Continuing Education & Workforce Development : 19 attendees)
- RUP Dealer Pesticide Basics and Dealer Responsibilities at Hikiola Cooperative on Molokai (6 attendees)

IPM In Schools:

The selection of the vendor for the IPM Pilot Project at Ala Wai Elementary School is still undergoing review and has yet to be awarded by the Department of Education Facilities & Maintenance section.

SFIREG:

(Tom M. serving as the EPA Region 9 representative to SFIREG)

Attended SFIREG meeting in Arlington, VA. Minutes of meeting forwarded to EPA Region 9 States, tribes and territories.